

COLCHESTER PLANNING COMMISSION

MINUTES OF THE MEETING

MAY 4, 2010

PRESENT: Tom Mulcahy, Rich Paquette, Pam Loranger, Tim Ahonan and Bob Scheck

ALSO PRESENT: Sarah Hadd, Director

1. Call to Order

T. Mulcahy meeting was called to order at 7:05 p.m.

2. Public Hearing on Supplement 27

T. Mulcahy noted for the record that an email was received from Jane Murphy, owner of property located at 382 Hercules Drive, stating support of the proposed rezoning from Industrial to Business District.

S. Hadd highlighted the proposed changes for the Hercules Drive vicinity. S. Hadd also noted that along with the rezoning to the Business District the Planning Commission is proposing a change to Section 2.08 Multiple Structures of the Regulations. The revised language would allow for more than one use on a lot.

Gordon Demeritt, 156 Acorn Lane, asked about the process and timeframe for adoption of the rezoning. T. Mulcahy reported that after the public hearing is closed the Planning Commission can vote on the changes and move the changes to the Select Board. The Select Board is required to have a 1st reading and a public hearing.

Dennis Webster, 525 Hercules Drive, spoke in favor of the proposed rezoning.

A **motion** was made by R. Paquette and **seconded** by P. Loranger to close the public hearing. The **motion passed** with a vote of 5 – 0.

3. Action on Supplement 27

A **motion** was made by R. Paquette to approve Supplement 27 and forward it to the Select Board. P. Loranger **seconded** the **motion** and it **passed** with a vote of 5 – 0.

4. Integrated Water Resources Management Plan Presentation

Brad Aldrich of Forcier, Aldrich Associates and Bruce Douglas and David Henley of Stone Environmental were present to update the Planning Commission and the public on the progress that has been made since the last public presentation in February.

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The presentation included an update on activities that have taken place since the last IWRM public update meeting in February and the highlights of the next steps.

- Goal Statement – Protect Colchester’s extensive water resources through an increased understanding of the relationship between: water uses, land uses, stormwater management and wastewater management.
- Purpose of the Study: The development on an integrated plan for stormwater, wastewater and land use practices and maintenance that is universally understood and supported by Colchester’s residents.

Areas of discussion included the following:

1. General Overview of the Study Scope/Outcomes/Concepts
2. Stormwater Mapping
3. Looking for Sources of Bacteria
4. Overall project schedule – where we are now
5. An open question and answer period

In conclusion of the presentation it was reported that the group will return in August for another presentation that will include additional information that will be more definitive. Also, additional information can be obtained by visiting the following web site: www.colchesterwaters.net.

Following the presentation the Commission was provided the opportunity to ask questions. T. Mulcahy encouraged exploring the possibility of involving high school students in the project.

The Planning Commission thanked all for the presentation.

John Hawley addressed the Commission and explained that he does not understand the need for the proposed rezoning of properties in the Hercules Drive area from Industrial and Commercial to Business District. He stated concern that the public hearing for Supplement 27 was warned for 7:30 and it occurred at 7:00 p.m. and that is why he missed it. S. Hadd apologized for the mix-up in time. T. Mulcahy encouraged him to continue to participate and noted that he should continue to participate at the Select Board level.

5. Discussion of Supplement 28 – Zoning Housekeeping Items

S. Hadd explained that at the April meeting she reviewed with the Commission a variety of housekeeping changes to the regulations. As a result of that meeting, staff revised the proposed changes and subtracted out the proposed changes to Article IX, Planned Unit Developments. Previously included in the housekeeping items, but not included in the proposed changes from the last meeting, are changes regarding Section 10.14 Seasonal Dwelling. The following is a short list of the housekeeping updates:

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1. Change the title DRB Coordinator to Zoning Administration throughout.
2. Change the title Town Planner to Director in Section 2.03D(1)
3. Fix a typo under Section 2.04H to delete Street and insert Road.
4. Clarify Section 2.05J for setback waivers to clearly state that structures can encroach in the setbacks up the amount already encroaching as currently interpreted.
5. State in Section 2.07 that port-o-lets are temporary structures and must be removed in 15 days unless associated with an ag operation, public park or construction site. A follow-up to this is in Section 2.097(e) that states portable toilets can not be permanently permitted.
6. Clearly state in Section 2.07 that play structures such as swings and tree houses are exempt from permits.
7. Clarify and consolidate Section 2.09B(2) and Section 10.03 for regulating trailers and trash.
8. Under Section 2.10B(1) the proposed minimum setback for fences has been removed.
9. Change Section 2.12 to clarify that nonconformity as it relates to seasonal camps and allow for these nonconformities to be rebuilt and perhaps even expanded.
10. Delete the first sentence of 2.19B as the new Public Works Standards now take precedent.
11. Section 7.03 should specify the maximum stair size and handrail requirements for at least one side of the stairs in the Shoreland District (as currently interpreted in a handout). Spell out flexibility in accommodating rise and run in the Shoreland District for exterior stairs. A previously proposed piece about boat ramps has been deleted.
12. Section 8.04 further specify that interior fit-ups for commercial properties that do not have the potential to increase the impact of the use can be done as just a building permit (i.e. no increase in employees, traffic, wastewater, parking, etc.)
13. Section 8.05 clarify the department responsible for providing abutter lists.
14. Section 10.01C(6) require five-foot setbacks for driveways from property lines however allow for waivers where shared drives are proposed. Staff had previously proposed ten feet.
15. In Section 10.14, Seasonal Dwelling, propose a process whereas seasonal camps, a nonconforming use, can be expanded as a conditional use before the Development Review Board.
16. Table of Uses (A-1) section 6.110 allow Athletic Facilities as permissible uses in the GD1, GD3, and Business Districts.

S. Hadd and the Commission discussed the proposed housekeeping items. Much discussion took place regarding seasonal camps and the fact that they are non-conforming and if the use is not used for 6 months they lose that right. The Commission strongly discouraged any language that would abandon the use of a camp even if it is non-conforming. The Commission agreed to extend the seasonal use dates from September 30th to October 15th. S. Hadd explained that the revised language provides the ability to expand a camp by identifying where septic is and where the replacement area is to ensure that the property owner is not terminating the possibility of upgrading to a year-round use in the future.

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P. Loranger informed Staff that she would be interested in viewing a list of all existing seasonal structures in Colchester

A **motion** was made by R. Paquette and **seconded** by P. Loranger to warn Supplement 28 as discussed. The **motion passed** with a vote of 5 – 0.

Additionally the Commission agreed to further address Mobile Home Park setbacks in Supplement 30 and PUD's and Design Review in Supplement 31.

6. Minutes of April 6, 2010

A **motion** was made by R. Paquette and **seconded** by P. Loranger to approve the minutes of April 6, 2010. The **motion passed** with a vote of 5 – 0.

7. Review Future Agendas

Next Meeting: May 18th
Reschedule June 15th meeting to June 22nd

8. Packet Information

The Commission reviewed packet information.

ADJOURNMENT

There being no further business to be brought before the Commission, a motion was made and seconded to adjourn the meeting. All members of the Commission present voted in favor of the motion and the meeting was adjourned at 9:30 p.m.

Minutes taken and respectfully submitted by Lisa Riddle.

Approved this 18th day of May 2010

_____ **Planning Commission**